

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 1-B-07-PA **AGENDA ITEM #:** 64
 1-D-07-RZ **AGENDA DATE:** 5/10/2007

▶ **APPLICANT:** MICHAEL SMITH
OWNER(S): SMITH MICHAEL E & WENDY F

TAX ID NUMBER: 69 J B 046
JURISDICTION: Council District 5
▶ **LOCATION:** Northwest side Dutch Valley Dr., southwest of Plummer Rd.
▶ **TRACT INFORMATION:** 37723 square feet.
SECTOR PLAN: North City
GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
ACCESSIBILITY: Access is via Dutch Valley Rd., a minor arterial street with 21' of pavement width within 50' of right of way.
UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / R-1 (Low Density Residential)
▶ **PROPOSED PLAN DESIGNATION/ZONING:** O (Office) / O-1 (Office, Medical, and Related Services)
▶ **EXISTING LAND USE:** Vacant land
▶ **PROPOSED USE:** Office and warehouse
EXTENSION OF PLAN DESIGNATION/ZONING: No
HISTORY OF ZONING REQUESTS: None noted for this site
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING:
 North: Residence / LDR / R-1 (Low Density Residential)
 South: Dutch Valley Dr. - Manufacturing, warehousing / LI / I-3 (General Industrial)
 East: Residence / LDR / R-1 (Low Density Residential)
 West: Wings Way - Church / LDR / RP-1 (Planned Residential)
NEIGHBORHOOD CONTEXT: This site is located on the north side of Dutch Valley Dr., which has been developed primarily with residential uses and a few churches under R-1 and RP-1 zoning. The south side of the street, adjacent to I-640, is developed with mixed uses, under various zones.

STAFF RECOMMENDATION:

▶ **APPROVE O (Office) One Year Plan designation.**

Low intensity office uses are appropriate for this property. This area has been recommended in the updated draft sector plan as a residential-office mixed use designation (including slope protection, low density residential, medium density residential, and "residential office" uses). Landscaping (and landscape buffers) and certain design features that provide a residential-like appearance to all new or renovated structures in

this area are supported by North City Sector residents who have participated in review of the draft sector plan proposals. Several zoning conditions, which were requested by City Council and are listed below, are provided to address the neighborhood's design concerns.

► **APPROVE O-1 (Office, Medical and Related Services) zoning, subject to the following conditions:**

1. New construction shall maintain a similar setback to the existing residential structures to the east.
2. Parking shall be to the side or the rear of the structure and may be accessed from Wings Way. Since Wings Way is a private easement serving a neighboring church, permission would have to be granted to the applicant for the use of this easement. If this access cannot be established, the access point should be established along the eastern side of the subject property.
3. Parking shall be buffered from adjacent lots by the evergreen tree provision of the Type B Screen Standards (that is, evergreens, planted at a minimum of 10 feet on center, capable of attaining at least a 20 foot height, with the species to be chosen from the Knoxville Street Tree Master Plan); side yard parking to Wings Way shall be in accordance with the evergreen hedge provision of the Type B screen; additionally, at least two trees capable of attaining a 40 foot height at maturity shall be planted on the lot.
5. Signs shall be of a monument type with illumination from an external light shield.
6. Standards for parking light fixtures shall be no more than 12 feet high, and lights shall be shielded so as not to spill over onto neighboring properties.
7. Maximum building height is 35 feet (no more than two stories), and a pitched roof shall be used.
8. No metal buildings shall be permitted.
9. Maximum amount of impervious coverage shall be 40%; landscaping of the yard shall include turf and/or other natural ground cover and landscaping shall be provided around the building.

COMMENTS:

MPC originally approved the requested office plan designation and O-1 zoning at their January 11, 2007 meeting. These requests were referred back to MPC by City Council at their April 24, 2007 meeting. There were concerns from the neighborhood about the O-1 zone, as well as non-residential development on this property, without consideration being given to design elements affecting compatibility with nearby residential uses. Such concerns have been addressed during the process to update the North City Sector Plan. The listed zoning conditions should address those concerns.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The recommended conditional approval of these requests will allow the property to be converted to office use but will minimize the impact to adjacent properties.
2. Office uses at this location will serve as a transitional buffer between the residential uses to the north and the commercial/industrial uses to the south.
3. No rezoning to non-residential zones has occurred on the north side of this section of Dutch Valley Rd., except for some O-1 zoning to the west, which is not consistent with the sector plan proposal. Office zoning at this site with the specified conditions noted will minimize the impacts to adjacent properties.

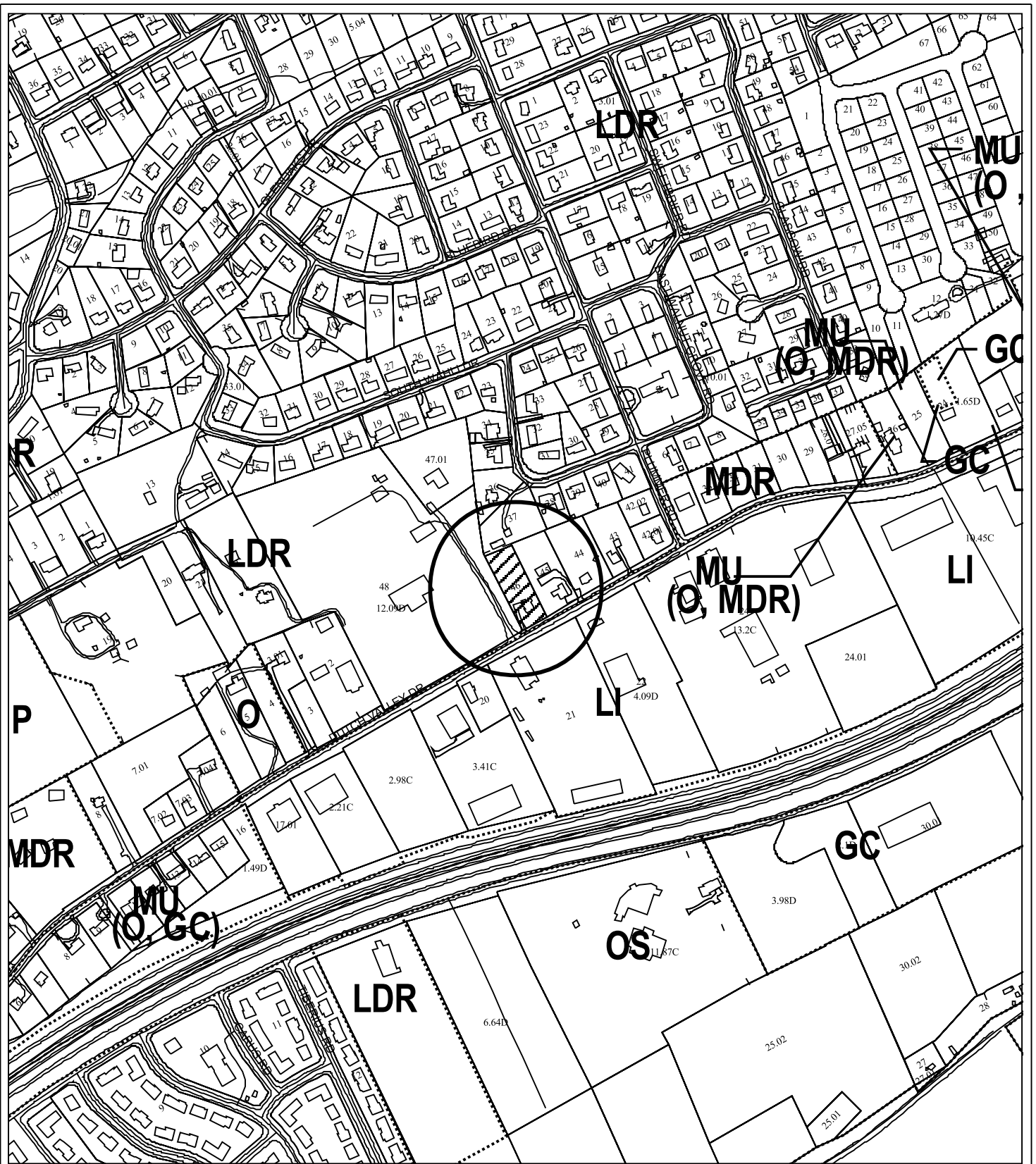
THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are in place to serve the site.
2. The proposal will have no impact on schools. The impact on the street would depend on the size and type of office development that is proposed. The application lists office/warehouse as the proposed use.
3. The recommended conditional O-1 zoning will permit a use that will be compatible with adjacent uses.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The current North City Sector Plan proposes LDR (Low Density Residential) uses for the site, consistent with the current R-1 zoning. This plan is currently being updated and being considered for "residential office" in a mixed use district. See the attached comments regarding this case from MPC's Comprehensive Planning staff.
2. With the approval of the plan amendment to office, the O-1 zoning is consistent with the One Year Plan.
3. Approval of this request may generate similar requests for office plan designations and zones on the north side of Dutch Valley Dr.
4. The request on this property is compatible with surrounding uses. Some similar, individual properties in the area have been rezoned for those uses. Ideally, it would be best if all established residential property owners with frontage on the north side Dutch Valley Dr. were in agreement with rezoning their properties for medium density and/or non-residential uses and were included on one application.

If approved, this item will be forwarded to Knoxville City Council for action on 6/5/2007 and 6/19/2007. If



1-B-07-PA/1-D-07-RZ
 PLAN AMENDMENT

Petitioner: Michael Smith

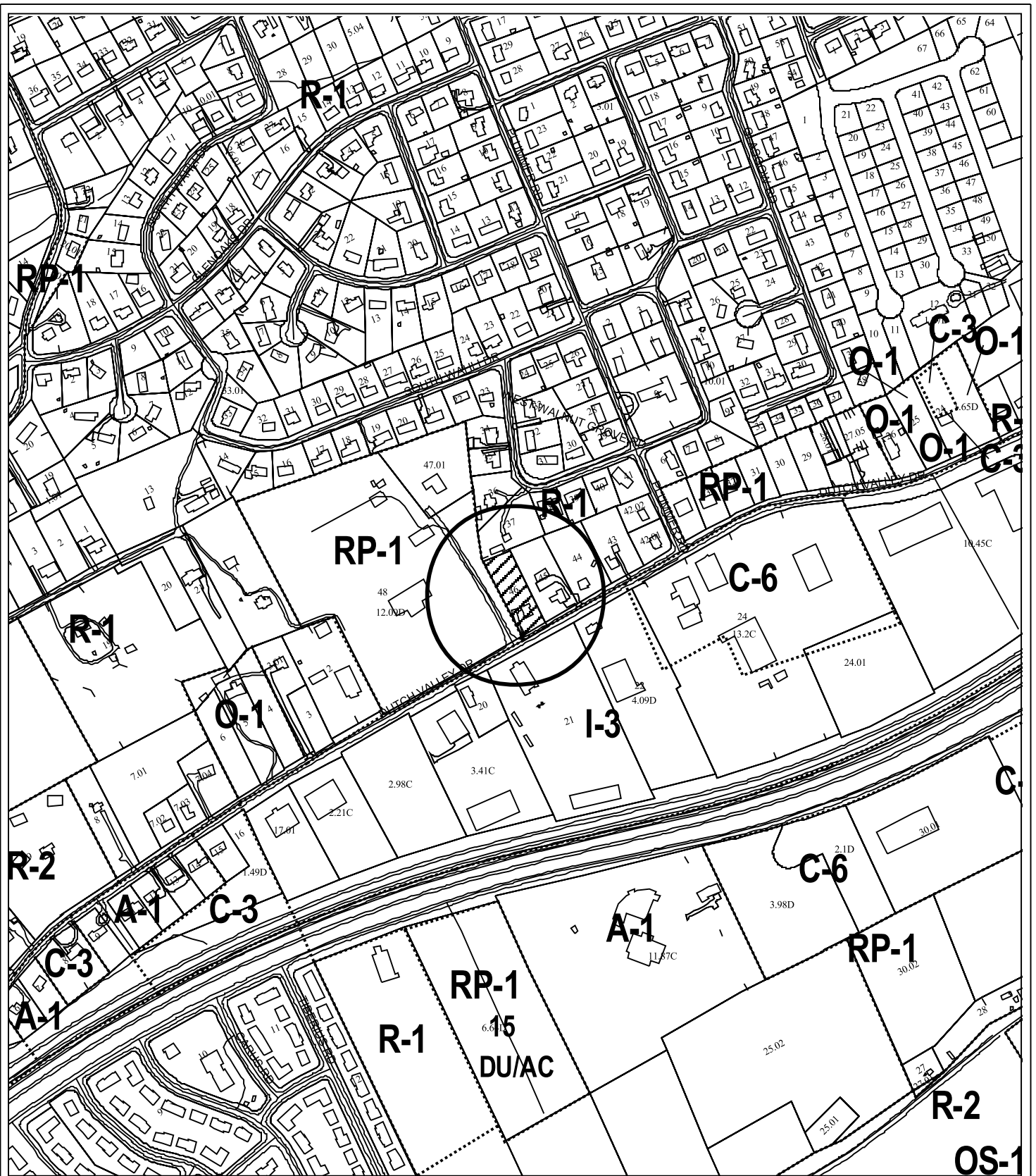
Map No: 69

Jurisdiction: City

From: LDR (Low Density Residential)
 To: O (Office)

Original Print Date: 12/27/06 Revised: 01/31/07
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902






**1-D-07-RZ
REZONING**

Petitioner: Michael Smith

Map No: 69

Jurisdiction: City

 From: R-1 (Low Density Residential)
 To: O-1 (Office, Medical, and related services)

Original Print Date: 12/27/06 Revised: 02/05/07
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



#64

1-B-07-PA / 1-D-07-RZ

DESIGN

GUIDELINES

LANDSCAPE SCREENING

Type "B" Screen: Continuous

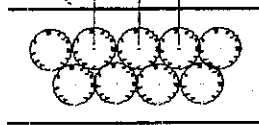
APPROPRIATE LOCATION: Screening parking and loading areas from adjoining residential and office districts

NOTE: Landscape buffer strips should be a minimum of 12 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings

- Two offset rows of evergreen shrubs



Maximum 4' Centers

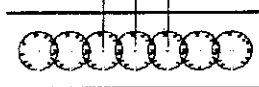


SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.

- A continuous row of evergreen shrubs on a 3 ft. high earth berm



Maximum 3' Centers

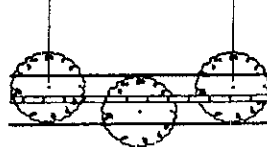


SHRUB HEIGHT
Installed: 2 ft.
Mature: 3 ft.

- A 5 ft. high masonry wall or timber fence with evergreen trees and low shrubs or climbing vines

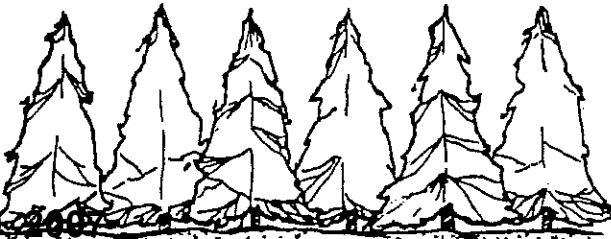


Maximum 50' Centers

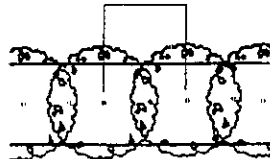


TREE HEIGHT
Installed: 8 ft.
Mature: 15 ft.

- One row of evergreen trees with branches touching the ground



Maximum 10' Centers



TREE HEIGHT
Installed: 8 ft.
Mature: 20 ft.

INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

MPC uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

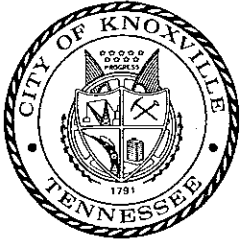
Contact persons:

- Dan Kelly
- ~~Quentin Stevens~~

MPC

Development Services
Suite 403
City County Building
400 Main Street
Knoxville, TN 37902
Phone: 423 215-2500
Fax: 423 215-2068

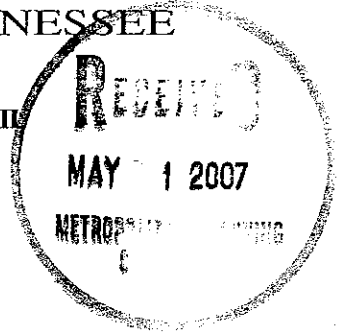
The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance



64
1-B-07-PA/1-D-07-RZ

CITY OF KNOXVILLE, TENNESSEE

OFFICE OF THE CITY COUNCIL



MEMORANDUM

To: Mark Donaldson, MPC

From: Cindy Mitchell, City Recorder *CM*

Date: April 30, 2007

Re: One-Year Plan Amendment and Rezoning Ordinances –
Michael Smith Applicant

At the City Council meeting held April 24, 2007, the attached ordinances were sent back to MPC for further review. To help clarify the directive given to MPC, the following is the motion that was made by Councilmember Bob Becker at the April 24 meeting:

Councilmember Becker made a motion to send the following ordinances back to MPC to ask them to revise the approval to meet the conditions that are being developed in the Sector Plan so that they will fit with the future development of that area.

If you need additional information, please don't hesitate to call.

cm